

SOLOMON LEAKE AND HAYDEN MAE LEAKE

Index #: 07 CIV 2947

Plaintiff(s)

- against -

Date Filed:

Court Date: March 7, 2008

PHROSKA LEAKE MCALISTER

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

JUAN DELGADO BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on February 19, 2008 at 06:12 PM at

95 WEST 95TH STREET APT 27-F
NEW YORK, NY 10025

deponent served the within true copy/copies of the SUBPOENA on ANN J LEMON, the witness/recipient therein named,

AFFIXING TO DOOR by affixing a true copy/copies of each to the door of said premises, which is the witness/recipient's dwelling house/usual place of abode within the state. Deponent was unable, with due diligence to find the witness/recipient or a person of suitable age and discretion, thereat, having called there on:

February 13, 2008 AT 7:40 AM

February 15, 2008 AT 10:20 AM

February 19, 2008 AT 6:12 PM

MAILING Deponent enclosed a true copy/copies of same in a postpaid wrapper properly addressed to the witness/recipient at the witness/recipient's last known residence at

95 WEST 95TH STREET APT 27-F
NEW YORK, NY 10025

and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on February 20, 2008 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside envelope thereof, by return address or otherwise that the communication is from an attorney or concerns an action against the party to be served.

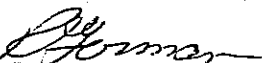
Spoke with MR. SMITH, DOORMAN, who stated that the witness/recipient lives at the aforementioned address but was unable to divulge the witness/recipient's place of employment.

PERSON SPOKEN TO REFUSED TO STATE TRUE FIRST AND/OR LAST NAMES

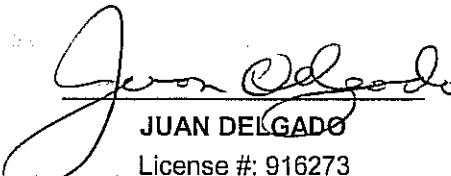
MILITARY SERVICE Person spoken to was asked whether the defendant was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the defendant is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

Sworn to me on: February 20, 2008.

Linda Forman
Notary Public, State of New York
No. 01FO5031305
Qualified in New York County
Commission Expires August 1, 2010


Robin M. Forman
Notary Public, State of New York
No. 01FO6125415
Qualified in New York County
Commission Expires April 18, 2009

Larry Yee
Notary Public, State of New York
No. 01YE5015682
Qualified in New York County
Commission Expires July 26, 2009


JUAN DELGADO
License #: 916273
Docket #: 541450